

VIA ECFS

EX PARTE

June 18, 2009

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Room TW-325
445 12th Street, S.W.
Washington D.C. 20554

RE: WC Docket No. 05-25

Dear Ms. Dortch:

On June 17, 2009, the undersigned counsel and Don Shephard, Vice President, Federal Regulatory, tw telecom inc. ("TWTC"), met with Julie Veach, Don Stockdale, Marcus Maher, and Randy Clarke of the Wireline Competition Bureau. The purpose of the meeting was to discuss a possible special access data request by the FCC and, in particular, the manner in which the FCC might make competitors' network location information available in aggregated form for review and comment. The TWTC representatives emphasized the importance of preventing public disclosure of information regarding the location of competitive carriers' networks. We explained that even reports that remove the names of individual carriers and that aggregate all competitors' network location information can, in some circumstances, allow readers to infer the location of competitors' networks. Such inferences would place competitors at an unfair competitive disadvantage. This outcome is especially likely if the report aggregating competitors' network location information presents that information using small geographic areas. Moreover, we explained that there is no reason for the FCC to risk disclosure in this manner. This is because the FCC can produce a comprehensive and, for purposes of the rulemaking sufficient report of the extent of competitors' actual and potential network deployment by utilizing geographic areas that are large enough to protect against inferences as to the location of competitors' networks.

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), a copy of this notice is being filed electronically in the above-referenced dockets.

Respectfully submitted,

/s/
Thomas Jones
Jonathan Lechter

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ATTORNEYS FOR TW TELECOM INC.

CC: Julie Veach
Don Stockdale
Marcus Maher
Randy Clarke